UNITED NATIONS

SECURITY COUNCIL
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THIRTY-NINTH YEAR

2559th MEETING: 12 OCTOBER 1984

NEW YORK

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NOTE

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2559th MEETING

Held in New York on Friday, 12 October 1984, at 12.30 p.m.

President: Mr. Léandre BASSOLE (Burkina Faso).

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2559)

1. Adoption of the agenda

2. The situation in the Middle East:
   Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/16776)

The meeting was called to order at 12.50 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East:
Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/16776)

1. The PRESIDENT *(interpretation from French):* I should like to inform members of the Council that I have received a letter from the representative of Lebanon in which he requests to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure of the Council.

At the invitation of the President, Mr. Turk (Lebanon) took a place at the Council table.

2. The PRESIDENT *(interpretation from French):* Members of the Council have before them the report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL) for the period from 10 April to 9 October 1984 [*S/16776*]. Members of the Council also have before them document S/16772, containing the text of a letter dated 8 October 1984 from the representative of Lebanon to the Secretary-General, and document S/16779, containing the text of a draft resolution prepared in the course of the Council's consultations.

3. It is my understanding that the Council is prepared to take a vote on the draft resolution before it. If I hear no objection, I shall now put the draft resolution to the vote.

A vote was taken by show of hands.

In favour: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Against: None.

Abstaining: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

The draft resolution was adopted by 13 votes to none, with 2 abstentions [resolution 555 (1984)].

4. The PRESIDENT *(interpretation from French):* I call on the representative of Lebanon.

5. Mr. TURK (Lebanon) [*interpretation from Arabic*]: Allow me at the outset, Sir, to extend my congratulations to you on your assumption of the presidency of the Security Council for the month of October. We are confident that your wide experience and ability are the best guarantee of the success of our proceedings.

6. I wish also to thank and express appreciation to your predecessor, the representative of Zimbabwe, for the competent and tactful way he guided the proceedings of the Council throughout the month of September.

7. Now that the Council has adopted the draft resolution on the extension for six months of the mandate of UNIFIL, I am happy to express to you, Mr. President, and the members of the Council thanks and gratitude for this support and for the understanding shown of the overall situation in southern Lebanon and the urgent need for the continued presence of UNIFIL.

8. The report of the Secretary-General indicates a deep understanding of the situation and reflects realism

and a genuine desire to tackle it. I wish to express to him and to his assistants our thanks and gratitude. We reaffirm that we shall continue to work and co-operate with the Secretariat, as well as with the Council, to contribute to the success of the functions entrusted to UNIFIL.

9. We have carefully studied the observations in the report. We wish to associate ourselves with the Secretary-General's realistic depiction of the situation, his forecast of expected developments, and his decision concerning the measures that these developments may make necessary. We see in the report and in the Secretary-General's observations encouraging indications that, if these measures are imposed and bring about the complete withdrawal of Israeli forces from Lebanon's territory and proper security arrangements at the southern borders of Lebanon, a revision will be necessary of the functions and task of UNIFIL and the number of its troops, the extension of its area of deployment, and increased effectiveness. It will then be in a position to contribute, together with the Lebanese army and the internal security forces, to the extension of the authority of the State to the internationally recognized boundaries, so that the south may become a zone of peace and security.

10. I must refer here to the fact that this new contribution of UNIFIL will be necessary, but temporary, in the period after the proposed Israeli withdrawal, until the legitimate Lebanese forces can assume full and definitive responsibility for security.

11. I cannot end my statement without again thanking and commending UNIFIL. I commend its leadership, its troops and its logistic assistance and express gratitude to the countries from which its men come and to all the States that have contributed and will contribute to the carrying out of the task of the United Nations in Lebanon.

12. The objectives of the Lebanese State, headed by President Amin Gemayel, are crystal clear. They were defined by Mr. Rashid Karame, head of Government and Minister for Foreign Affairs of Lebanon, in his statement to the General Assembly.[1] Those objectives stem from the natural right of Lebanon to be the master of its own territory and from its independent will and decision to extend the authority of its State over every inch of its territory. They also stem from the right of the people of Lebanon to enjoy peace, security and a decent, tranquil life, so that it may resume its rightful role, make its creative contribution and fulfil its mission, which goes back to time immemorial.

13. I need not emphasize the fact that Lebanon, when its sovereignty has been upheld, its strength restored and the unity of its territory, institutions and peoples preserved, will not be the only beneficiary. The achievement of those goals will contribute also to peace and stability in the region and perhaps throughout the world.

14. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) [*interpretation from Russian*]: Since this is the first statement made by the Soviet delegation this month, we wish first and foremost to express our profound satisfaction that the presidential Chair in the Council is being occupied by the representative of Burkina Faso, a country for which we have a great feeling of genuine friendship and sympathy. The fact that a representative of an African State is at present leading two of the most important organs of the United Nations, the Security Council and the General Assembly, is eloquent testimony to the growing role of the African continent in the international arena. We are persuaded, Mr. President, that under your skilful guidance the Council will be able to tackle successfully the tasks before it.

15. I should like to take this opportunity to pay a tribute to your predecessor, the representative of Zimbabwe, Mr. Mashingaidze, for the very able way in which he conducted the work of the Council during the month of September.

16. In view of the request of the Lebanese Government for the extension of the mandate of UNIFIL, the Soviet delegation has seen fit not to object to an extension. The Soviet delegation abstained for reasons which have frequently been explained. At the same time, we cannot fail to emphasize our growing concern at the abnormal situation that exists, in that the Council is obliged systematically to extend the mandate of this Force while conditions exist that prevent it from performing the functions entrusted to it. This concern is shared by many other members of the Council, and by States which have provided their own contingents to UNIFIL. It is also reflected in the report of the Secretary-General, which states: "I also feel obliged to state that the existence of UNIFIL should not be taken for granted indefinitely" [*S/16776, para. 27*].

17. The reason for this dangerous and abnormal situation in Lebanon, which, in addition to everything else, is making it impossible for UNIFIL to perform its task as laid down in the relevant resolutions and decisions of the Council, is well known. It is the continued illegal occupation by Israel of southern Lebanon, which was seized by Tel Aviv during the aggression perpetrated in June of 1982. For two years now the notorious "Peace for Galilee" has meant daily suffering and privation for the populations of the occupied areas, whether they be Lebanese or Palestinian refugees.

18. Just over a month ago the Council was considering the question of the situation in southern Lebanon, and in their statements the representatives of Lebanon and of a number of other delegations painted a very graphic picture of the systematic terror and violence which is practised by the occupying Israeli forces against the civilian population. It is true that at that time, the Council once again proved unable to take a decision which would at least have called the occupiers to task and that, as we are all aware, was because of yet another veto by the strategic ally and patron of Israel, the United States. Naturally, there was a kind of logic underlying that veto. After all, Washington has done

everything possible to provide political camouflage for its protégé from the very outset of the Israeli adventure in Lebanon, even here in the Council. Was it not, after all, the United States that, together with Israel, tried to impose upon Lebanon a one-sided agreement, which was quite properly rejected by the Lebanese people? It is also well known who was shooting up Lebanese soil at close range using high-calibre weapons in an attempt to dictate a peace of capitulation, while at the same time creating a further military-training post in the Middle East. Finally, we cannot fail to mention the fact that, figuratively speaking, the signatures of the United States representative to resolutions 508 (1982) and 509 (1982), which were adopted unanimously by the Council, were hardly dry before they were declared obsolete and inappropriate.

19. We are saying this not simply for the sake of recalling the past but rather because the past is directly relevant to the present, since it sheds a very clear light on the reasons why UNIFIL has so far not been able to carry out its mandate. It is quite obvious that the implementation of resolutions 508 (1982) and 509 (1982), and above all the requirement for the withdrawal of Israeli forces forthwith and unconditionally from all Lebanese territory, are the most important prerequisites for the settlement of the situation in Lebanon. These resolutions have never been abrogated. They should be implemented, thereby making it possible for the Force to carry out the tasks it has been given.

20. In conclusion, the Soviet delegation would like to emphasize that the normalization of the situation in Lebanon is but one aspect of the broader task of establishing lasting peace in the Middle East. As the head of the Soviet State, Mr. Chernenko, said in a statement on 9 October this year:

> "Peace will be brought to the peoples of the Middle East not by intrigues and separate deals behind their backs but by a comprehensive, just settlement. The efforts of the Soviet Union are aimed precisely at the achievement of just such a settlement. The Soviet Union will continue to do everything in its power to bring about that end."

21. Sir John THOMSON (United Kingdom): My delegation is indeed glad to be sitting again under your presidency, Sir. We have practical experience of the efficient and brisk way in which you conduct the affairs of the Council. We have always enjoyed also sitting under the presidency of your predecessor, whose wit and incisiveness are well known to all members of the Council. We congratulate you, Sir, on your assumption of the presidency.

22. Council members know that my Government has long advocated an expanded United Nations presence in Lebanon. We are pleased therefore that the Secretary-General, in his report of 9 October, has once again put forward proposals for the expanded deployment of UNIFIL in conjunction with the withdrawal of Israeli forces from southern Lebanon.

23. We believe that it is right that, as the Secretary-General suggests, the machinery of the United Nations should be made available to the parties to facilitate the reaching of agreements and to provide the facilities for the necessary discussions if they so desire.

24. We interpret the resolution which the Council has just adopted as endorsing further action by the Secretary-General on these lines. Like him, we believe that the present opportunity must not be missed and that, if it were, the consequences to peace could be very serious.

25. We are grateful to those States which have provided troops for UNIFIL. We hope that the appeal in paragraph 28 of the Secretary-General's report to all Member States to pay their assessments without delay will be heeded. We note with pleasure that the representative of the Soviet Union has just said that the Soviet Union will do everything in its power to help.

26. Mr. van der STOEL (Netherlands): May I at the outset, Sir, extend my warm congratulations to you on assuming the presidency of the Council for the month of October. Your great diplomatic skills are well known to all to us.

27. My delegation also wants to thank the representative of Zimbabwe for the excellent way in which he conducted the work of the Council during the month of September.

28. It is now the eighth time since Israel's invasion of Lebanon that the Council has been called upon to extend the mandate of UNIFIL for a further limited period in circumstances which do not conform to the original mandate as spelt out in resolutions 425 (1978) and 426 (1978), or to the intentions of later Council resolutions on the withdrawal of Israeli forces and the restoration of the authority of the Lebanese Government in southern Lebanon.

29. As indicated in the report of the Secretary-General, however, in recent weeks there have been a number of developments which offer prospects for a more meaningful and strengthened role for UNIFIL than the Force is able to fulfil at present.

30. In these circumstances, it is obvious that the Council should expand the present mandate for a further limited period, pending the outcome of negotiations on the necessary practical arrangements which will have to be made to realize the overall objectives. We are glad to note that all parties now seem to recognize the important role which UNIFIL could play in these practical arrangements. I may recall that the main reason for my country's readiness to maintain a limited contingent in UNIFIL has been our conviction that UNIFIL still could and should play an important role in changing the situation in southern Lebanon for the better. The Netherlands has therefore again voted in favour of an extension of UNIFIL's present mandate for a further period of six months. Needless to say, we shall continue to contribute a contingent to the Force.

31. At the same time we wish to underline with great emphasis what the Secretary-General has said in paragraph 27 of his latest report. On many occasions my delegation has stressed that the existence of UNIFIL indefinitely should not be taken for granted and indeed there is a limit to the patience of the countries which have contributed to UNIFIL for more than two years in difficult and unsatisfactory circumstances. The future of UNIFIL would be seriously jeopardized by a failure of the parties concerned to agree in the coming months on the practical arrangements necessary to attain the objectives of Israeli withdrawal, peace and security in the region and the restoration of Lebanese authority and sovereignty in southern Lebanon. Or, in the words of the Secretary-General, it would be unfair to "count on the indefinite participation of the troop-contributing countries, all the more so in view of the financial liability their participation entails" [*ibid.*].

32. We very much hope that it will be possible in the near future to reach agreement on the necessary practical arrangements. We call upon all parties concerned to resolve their outstanding differences in a realistic and constructive manner, bearing in mind that all stand to gain if the overall objectives are attained. The Secretary-General has reiterated in his report a number of useful and practical suggestions which would enable UNIFIL to play a more effective role in southern Lebanon in the wake of the withdrawal of Israeli forces from that region. We are convinced that the Secretary-General and his most able staff will have an important role to play in the forthcoming negotiating process.

33. Lastly, Mr. President, forgive me for once again drawing the attention of the Council to the sad state of affairs of UNIFIL's finances. The Secretary-General has informed us that the accumulated shortfall in UNIFIL's financial account has now reached almost $200 million. We are all aware that some Member States consistently fail to honour their obligations, thereby creating major financial problems for the Organization and for the troop-contributing countries.

34. The problem will become even more acute if UNIFIL's role is to be expanded under any future security arrangements in southern Lebanon. It could even jeopardize UNIFIL's future. We therefore associate ourselves again with the Secretary-General's strong appeal to all Member States to pay their assessments without delay. We also hope that his appeal to Member States to make available, as a practical measure, voluntary contributions to the UNIFIL Suspense Account will meet with a favourable response.

35. Mr. de La BARRE de NANTEUIL (France) [*interpretation from French*]: First of all, Sir, I wish to convey to you our congratulations on your assumption of the presidency of the Council and to say how pleased we are to see you fulfilling that important function, as you have done before with great skill.

36. I wish also to pay a tribute to your immediate predecessor, the representative of Zimbabwe, who exercised the presidency with remarkable competence and ability.

37. I have asked to speak, and I shall be brief. Everyone knows that France is committed to the efforts being undertaken within the framework of the United Nations with a view to preserving and maintaining peace, and everyone also knows of our interest in the various proposals that have been made in this field. Here I wish to pay a special tribute to the Secretary-General for his efforts in this direction.

38. My delegation has just voted in favour of the resolution which extends the mandate of UNIFIL for six months at the request of the Lebanese Government. Once again France has thus indicated the support it has never ceased to give to UNIFIL since its inception, in particular by making an important contribution to a United Nations peace-keeping force, which is an essential factor, it seems, in the return to normal conditions in southern Lebanon. By our vote we also wished to demonstrate our deep solidarity with Lebanon and our concern for the interests of that country which has suffered so much and continues to suffer.

39. My delegation has studied with great interest the observations of the Secretary-General in his latest report. In this connection, I wish to recall what we said on this subject at the time of the last extension—that is, that we were ready to consider the new tasks which the Security Council might, at an appropriate time, decide to entrust to UNIFIL. I reiterate here our readiness to do so.

40. Mr. SCHIFTER (United States of America): Mr. President, I, too, should like to join our colleagues in extending congratulations to you on your assumption of the office of President of the Council for this month.

41. Furthermore, I should like to extend our thanks to Mr. Mashingaidze for the manner in which he conducted the proceedings during the month of September.

42. The issue before the Council today was the extension of the mandate of UNIFIL. We have adopted a resolution to that effect. Our action, we hope, will contribute to the cause of peace and stability in the region.

43. My delegation regrets that the Soviet Union could not control the urge to use this opportunity to launch a verbal attack on the United States. We reject that attack as inappropriate and unjustified.

The meeting rose at 1.20 p.m.

NOTE

[1] *Official Records of the General Assembly, Thirty-ninth Session, Plenary Meetings*, 22nd meeting.

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2560th MEETING

Held in New York on Tuesday, 23 October 1984, at 4 p.m.

President: Mr. Léandre BASSOLE (Burkina Faso).

Present: The representatives of the following States: China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Zimbabwe.

Provisional agenda (S/Agenda/2560)

1. Adoption of the agenda

2. The question of South Africa:
   Letter dated 17 October 1984 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council (S/16786)

The meeting was called to order at 4.50 p.m.

Adoption of the agenda

The agenda was adopted.

The question of South Africa:
Letter dated 17 October 1984 from the Permanent Representative of Ethiopia to the United Nations addressed to the President of the Security Council (S/16786)

1. The PRESIDENT *(interpretation from French):* I should like to inform members of the Council that I have received letters from the representatives of Ethiopia and South Africa in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Dinka (Ethiopia) took a place at the Council table, and Mr. von Schirnding (South Africa) took the place reserved for him at the side of the Council Chamber.

2. The PRESIDENT *(interpretation from French):* I should like to inform members of the Council that I have received a letter dated 23 October from the Chairman of the Special Committee against *Apartheid*, which reads as follows:

> "With reference to the letter dated 17 October from the representative of Ethiopia addressed to the President of the Security Council, I have the honour to request the Council to permit me, in my capacity as Chairman of the Special Committee against *Apartheid*, to participate under the provisions of rule 39 of the provisional rules of procedure in the Council's consideration of the item entitled 'The question of South Africa'."

On previous occasions the Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to the Chairman of the Special Committee against *Apartheid*.

It was so decided.

3. I should like to inform members of the Council that I have received a letter dated 23 October 1984 from the representatives of Burkina Faso, Egypt and Zimbabwe, which reads as follows:

> "We, the undersigned members of the Security Council, have the honour to request that during its meetings devoted to the consideration of the item entitled 'The question of South Africa' the Council extend an invitation, under rule 39 of its provisional rules of procedure, to Bishop Desmond Tutu, Secretary-General of the South African Council of Churches and 1984 Nobel Peace Laureate" [*S/16794*].

If I hear no objection, I shall take it that the Council decides to accede to this request.

It was so decided.

4. This meeting of the Council has been convened in accordance with the request made by the representative of Ethiopia, on behalf of the Group of African States, in a letter dated 17 October addressed to the President of the Council [*S/16786*].

5. I should like to draw the attention of members of the Council to document S/16764, which contains the text of a note by the Secretary-General transmitting the

text of General Assembly resolution 39/2 of 28 September 1984. Members of the Council have before them document S/16791, which contains the text of a draft resolution submitted by Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe.

6. The first speaker is the representative of Ethiopia, who wishes to make a statement in his capacity as Chairman of the Group of African States for the month of October. I invite him to make his statement.

7. Mr. DINKA (Ethiopia): On behalf of the Group of African States at the United Nations and on my own behalf, allow me to congratulate you, Sir, on your accession to the presidency of the Council. We in the African Group feel particularly fortunate to have you presiding over the deliberations on the situation in South Africa, for we know full well your commitment to the struggle of the South African people against the evil system of institutionalized racism. Let me also express our appreciation to you and to the other members of the Council for responding to our request to convene this meeting and for allowing me to address the council to introduce the item.

8. Decades have now passed since *apartheid* became the national policy of the Government of South Africa and a way of life for the people of that country.

9. In the name of separate development, the races of South Africa have been compartmentalized, with the whites getting the best and the blacks the worst. The whites have appropriated everything and the blacks have been left with nothing. In one country we find separate societies. In that same country we find the settlers citizens and the indigenous people stateless.

10. In the warped logic of Pretoria, the blacks are not stateless; they have their bantustans. To the racist régime in Pretoria, the problem of the human and national rights of the black South African people has been settled once and for all through the process of bantustanization. Accordingly, blacks will be uprooted from their ancestral homes and will be settled in the barren wastelands of South Africa to form their caricature homelands, with all the trappings of an independent State. What a mockery and what a travesty of justice! Fortunately, the world has rejected as illegal and of no consequence these counterfeit entities.

11. The odious Pretoria régime, however, immune as usual to the precepts of justice and reason, has not only continued to pursue this policy of bantustanization with increased vigour but has recently endeavoured "to solve" the problem of the so-called Coloured people and those of Asian origin in its characteristic fashion. We all know of the so-called constitutional reforms in South Africa, their substance and the motives behind them. We also know of the subsequent so-called referendums and elections.

12. This constitutional subterfuge is an excellent example of the imperial dictum of "divide and rule". This charade is nothing but a further attempt at the entrenchment of white supremacy. As such, it has been rejected not only by the black majority of South Africans, but also by the vast majority of the so-called Coloured people and those of Asian origin. Furthermore, this rejection has found clear and unequivocal expression in resolutions of the General Assembly and the Security Council.

13. It is to be remembered that the Council, in its resolution 554 (1984), declared the so-called new constitution not only contrary to the principles of the Charter of the United Nations, but also null and void. The General Assembly, too, has rejected it as null and void in its resolution 39/2 of 28 September 1984.

14. As a result, the South African Government, which is constituted on the basis of that so-called new constitution, is not merely racist but illegal as well. This illegitimate and racist character of the régime has been further underlined by the popular uprising that followed the imposition of the racist constitution and the subsequent wave of violence and killings of defenceless people by the Fascist forces. The institutionalized racism and the illegal constitution are enforced and maintained today by State terrorism.

15. This situation cannot continue. It will either deteriorate further, engulfing not only South Africa but perhaps the entire region in a bloodbath, or it will have to get better, with the dismantling of the racist apparatus and the establishment of a non-racial and democratic society. Many South Africans, such as Bishop Desmond Tutu, the 1984 winner of the Nobel Peace Prize, are striving for the peaceful elimination of *apartheid* from South Africa. We know that the course of action pursued by the Pretoria régime will inexorably lead to racial conflagration in southern Africa.

16. As far as Africa is concerned, the choice is not difficult. The people of South Africa, and indeed of the entire African continent, choose the path of peace. But regrettably, that path has all along been blocked by the racist régime, whose intransigence has been reinforced by the political, economic and other forms of collaboration extended to it by certain Western States.

17. We believe that for the path to peace to be a viable choice in this respect the international community must totally isolate the racist régime. Unless our repeated call for the imposition of comprehensive and mandatory sanctions against South Africa under Chapter VII of the Charter meets with a positive response from the Council, the people of South Africa will be left with no other choice than the intensification of the ongoing armed struggle.

18. The General Assembly in its resolution 39/2 requested the Council to consider the serious situation in South Africa emanating from the imposition of the so-called new constitution and to take all necessary measures, in accordance with the Charter, to avert the

further aggravation of tension and conflict in South Africa. We in the Group of African States requested the convening of the Council on the basis of this provision of that resolution of the general Assembly.

19. The Council now has before it a draft resolution [*S/16764*] which we feel contains modest measures that are the minimum demanded by the exigencies of the situation and that could help defuse the tension currently prevailing in South Africa. Much as we believe in the inevitable triumph of good over evil, of justice over oppression, of freedom over subjugation, we cannot but remain optimistic and look forward to a positive result from the deliberations of this Council. I hope it will not let us down.

20. Mr. KRISHNAN (India): At the outset, Sir, may I say how pleased my delegation is to see you preside over our deliberations. We have already benefited from the rich experience of meeting under your presidency during the month of August. While congratulating you, I look forward to fruitful and constructive action by the Council under your wise and impartial leadership. May I take this opportunity also to pay a tribute to Mr. Elleck Mashingaidze for his wise and skilful handling of the presidency of the Council during the month of September.

21. It was barely two months ago that the Council, under your presidency, Sir, convened [*2548th to 2551st meetings*] to take stock of the grave situation created by the decision of the racist régime of South Africa to hold so-called elections to constitute segregated chambers for the Coloured people and the people of Asian origin. On that occasion, the debate on this crucial and emotive issue culminated in the adoption of resolution 554 (1984). By that resolution, the Council declared, *inter alia*, that the so-called new constitution was contrary to the principles of the Charter of the United Nations, that the results of the referendum of 2 November 1983 were of no validity whatsoever and that the enforcement of the new constitution would further aggravate the already explosive situation prevailing inside *apartheid* South Africa. The resolution strongly rejected and declared as null and void the new constitution and the impending elections, as well as all insidious manoeuvres by the racist minority régime of South Africa further to entrench white minority rule and *apartheid*.

22. That clear and unequivocal message sent out by the Council was treated by Pretoria with its customary scorn and arrogance. Even while the debate in the Council was in progress [*2548th meeting*], the representative of South Africa saw fit to reject in advance any decision that the Council might take. Resolution 554 (1984) made no impact on South Africa, whose racist rulers proceeded with the sham elections as scheduled on 22 and 28 August 1984.

23. The impact of the Council's resolution was not lost on the oppressed people of South Africa. Indeed, the outcome of the Council's deliberations provided them with greater moral strength and fortified their determination and resolve to resist Pretoria's thinly veiled attempts further to entrench the obnoxious system of *apartheid*. It is eloquent testimony to the courage and wisdom of the vast majority of South Africans —blacks, Coloureds and Asians alike—that the elections were treated with the contempt they deserved and boycotted on a massive scale and that so many of them should have risen in protest and courted detention and torture rather than yield to injustice. We applaud their unity and fortitude and salute their faith in sacrifice.

24. The situation in South Africa has always been volatile, with the policy of *apartheid* lying at the very root of this instability. The chain of events beginning with the conception of the so-called new constitution and the sham referendum of 2 November 1983 have further exacerbated a state of acute tension. The outpouring of anger and frustration all over South Africa before, during and in the wake of the recent charade of elections must be seen as the inevitable reaction on the part of the oppressed masses fighting for human dignity—indeed, for their very survival. In characteristic fashion, the Pretoria régime has carried out the arbitrary arrest and detention without trial of leaders and activists of popular organizations; it has indulged ruthlessly in the wanton killing and maiming of defenceless demonstrators as well as of workers on strike; and it has imposed virtual martial-law conditions in attempts brutally to intimidate into submission the forces of change. It was against the background of these grave developments that the General Assembly urgently considered the issue in September 1984 and adopted resolution 39/2 of 28 September, in which, *inter alia*, it reiterated its rejection of the new constitution as null and void and condemned the continued massacre of the oppressed people, as well as the arbitrary arrests and detentions. It is against the same background and in the light of the call by the Assembly to the Council that we meet once again in urgent session here today.

25. The final communiqué adopted by the Meeting of Ministers for Foreign Affairs and Heads of Delegation of Non-Aligned Countries to the General Assembly at its thirty-ninth session, held in New York from 1 to 5 October 1984, stated that they

> "considered that the principal cause of instability and tension in the region was the South African racist régime's continued entrenchment of *apartheid* internally through brutal repression, dispossession and exploitation, intimidation and constitutional fraud" [*S/16773, annex, para. 18*].

The Ministers and Heads of Delegation expressed

> "deep indignation at the fact that, in blatant defiance of the world community and in the face of opposition by the overwhelming majority of the people of South Africa, the Pretoria régime has sought to impose a new racist 'constitution', under the guise of 'constitutional reform', in a bid to dispossess the Afri-

can majority, divide the oppressed people of South Africa and further entrench *apartheid*. ... While congratulating the oppressed people of South Africa for their courageous and united resistance against the new racist 'constitution', the Ministers and Heads of Delegation expressed grave concern at the violation and repression of the racist régime against them, resulting in the killing and wounding of hundreds of people, including children, and detention of many leaders of the people.

"They commended the oppressed people of South Africa for their continuing heroism in the face of the repressive violence and oppression against them" [*ibid., paras. 22 and 23*].

26. I can do no better than reiterate to the Council this most recently stated position of the Movement of Non-Aligned Countries.

27. In its resolution 554 (1984) the Security Council solemnly declared that only the total eradication of *apartheid* and the establishment of a non-racial democratic society based on majority rule, through the full and free exercise of universal adult suffrage by all the people in a united and unfragmented South Africa, could lead to a just and lasting solution of the explosive situation in South Africa. This is the profound truth that must inspire and guide the endeavours of the international community to restore the dignity and freedom that is the birthright of the people of South Africa and to bring peace and stability to that troubled region of the world.

28. The Movement of Non-Aligned Countries is firmly committed to achieving that objective. So, indeed, is the United Nations. If the régime in Pretoria stands in the way, it is within the power of the Council to overcome its defiance.

29. The delegations of Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe have submitted a draft resolution to the Council for its consideration [*S/16791*]. We trust that it will obtain the support of all members of the Council.

30. We shall soon have the privilege of having with us in this chamber Bishop Desmond Tutu, on whom the Nobel Peace Prize was conferred just a few days ago. Let me conclude by recalling his words, spoken in Soweto only two days ago, and directed particularly at the white minority community. He said, as reported by *The New York Times* of 22 October: "If you think you can stop us, you are going to be stampeded, you are going to be overrun. We don't want you to be overrun. We say: 'Come join us. Join the winning side.' "

31. The PRESIDENT *(interpretation from French)*: The next speaker is the representative of South Africa. I invite him to take a place at the Council table and to make his statement.

32. Mr. von SCHIRNDING (South Africa): Please accept the congratulations of the South African delegation, Sir, on your assumption of the presidency of this Council.

33. Once again the Council has been convened—irregularly convened—to consider, in flagrant violation of the Charter of the United Nations, matters which fall indisputably and solely within the sphere of South Africa's domestic affairs. But then, this hardly comes as a surprise. The Security Council has previously violated its own statutes, most recently on 16 August 1984.

34. It speaks volumes that those States whose own record in human rights is more than dismal and which do not themselves trouble to pay even lip-service to article 21, paragraphs 1 and 3, of the Universal Declaration of Human Rights have the temerity to invoke that article against South Africa. Coming from those quarters, the provisions of the relevant article lose their meaning entirely. How dare these States presume to prescribe how another sovereign country should run its own affairs?

35. The South African Government rejects whatever decisions the Security Council may arrive at, now and in the future, when it purports to address the domestic affairs of South Africa. It is the Government of South Africa and the Government of South Africa alone which bears the responsibility for the safety and the well-being of all its citizens, and it will not be diverted from its duty to maintain law and order by any action of this Council or any other organ of the United Nations.

36. Let me refer briefly at this point to the house-to-house searches conducted in the township of Sebokeng by the South African police this morning, which have, of course, already drawn the predictable hysterical and malicious comments from the usual sources at the United Nations. In point of fact, the actions of the South African police are aimed solely at protecting the inhabitants of the township of Sebokeng from criminal and other subversive elements who have perpetrated acts of intimidation, murder, arson and pillage against innocent and law-abiding citizens. Let me add that in their efforts to restore law and order our police have had the support and the co-operation of the majority of the local inhabitants.

37. That the representative of India, with his country's abysmal record of discrimination and social inequality, should have had the audacity this afternoon to lecture South Africa on matters of constitutional justice is the height of hypocrisy. As for Ethiopia, its representative would have done better to look to the interests of his own people rather than make the preposterous allegations against my country which he made this afternoon.

38. My Government will continue to promote orderly and evolutionary change for the benefit of all South Africa's peoples. It will not allow the irresponsible

activities of those who have called this meeting, and who, of course, are not required to answer for the consequences of their actions, to impede our progress towards peace and stability, both in South Africa and throughout our subcontinent.

39. As the records of the Council reflect, I have previously explained carefully what the purposes of the South African Government's policies are. I have pointed to the progress that is being made towards reaching an accommodation in South Africa which will ensure a just and equitable dispensation for all South Africa's peoples.

40. But it is quite clear to me that there is no desire in the United Nations to evaluate the socio-economic and political developments in South Africa fairly and objectively. On the contrary, we have learnt from experience that when South African affairs are discussed in violation of the Charter, as is the case today, we can expect no just, equitable or honest assessment of the South African situation. No one apparently dares, in the face of the vengeful and malicious hostility directed against my country, to speak up and to defend the very substantial progress which has been made in improving the lot of South Africa's peoples in virtually every sphere of human endeavour.

41. It is nothing less than ludicrous that my country should be condemned by States Members of the Organization whose own people are indisputably worse off than South Africans of all colours—worse off in every aspect of life: in genuine constitutional rights, in judicial rights, in socio-economic development, in education, in health services and in the basic human needs, such as food and shelter.

42. But, as I have said, there is no point in my repeating here today what we have achieved and what we are achieving in South Africa, achievements of which we are justifiably proud. There is no point in my repeating those achievements, for this meeting is not interested in positive developments in South Africa. It has been called for one reason and for one reason only: to stoke further the fires of the anti-South African vendetta in the face of the South African Government's achievements along the path of providing a fair dispensation for the political, economic and social aspirations of all the peoples of our multifaceted society.

43. Those who called this meeting are evidently alarmed because our efforts are bearing fruit. They will stop at nothing to mislead world opinion as to the true motives of the South African Government and they will leave no stone unturned to try to undermine the progress already achieved. But they will not succeed. They will fail. And they will fail because the efforts of the South African Government will increasingly receive the international recognition which they deserve. We will not be deterred.

44. With every meeting of this nature the Security Council falls into greater and greater disrepute. Unless this trend is rapidly reversed, it must lead inevitably to the final decline of the Council's authority and reputation.

45. I have been asked by the South African Minister for Foreign Affairs to state here today that South Africa, as a regional Power in southern Africa, gives notice that it has no intention to capitulate. I must warn that, if the United Nations continues on its present course, South Africa will be forced to withdraw its contribution towards peace in southern Africa. Frankly, we have had enough. It is the States around us which will ultimately suffer, and it is the Organization which will have to bear the responsibility and which will have to accept the consequences.

46. Is it not time for the more responsible Members of the United Nations which have the real interests of this body at heart to put a stop to this sort of action?

47. To sum up, as far as the South African Government is concerned I have made our position very plain in the Council in the past and it is no different today. We reject the Council's claim to concern itself with the internal affairs of the Republic of South Africa and we reject its presumption in purporting to prescribe how South Africa should conduct its domestic affairs.

48. The PRESIDENT *(interpretation from French)*: The next speaker is the Chairman of the Special Committee against *Apartheid*, Mr. Joseph Garba. I invite him to take a place at the Council table and to make his statement.

49. Mr. GARBA (Special Committee against *Apartheid*): Mr. President, I should like first of all to thank you and the other members of the Council for giving me this opportunity to make a brief statement on behalf of the Special Committee against *Apartheid*, and to express my great pleasure that you are presiding over this meeting devoted to the very grave situation in South Africa, in spite of the garbage to which we have just been treated.

50. As we meet today we know that the racist régime of South Africa sent no fewer than 7,000 men into the segregated African township of Sebokeng, near Johannesburg, in the middle of the night to intimidate the African people and to carry out house-to-house searches and arrest hundreds of Africans. In spite of what the South African representative said a few minutes ago, I am sure that those members who watched CBS News this morning saw exactly what happened. I did, and I was astounded. The press has also reported that that township of 120,000 people was transformed into a military camp, with white racist soldiers in combat gear, and with assault rifles and Alsatian dogs combing the township, and with helicopters circling overhead. Reporters were taken through the streets in armoured troop carriers and saw soldiers spaced 15 metres apart on all the streets of the township.

51. According to the report by Reuters: "It was the Army's first major operation against its own citizens since 1960"—that is, since the state of emergency after the gruesome Sharpeville massacre of 1960. The report went on to say that it was "the largest combined South African defence force-police operation ever".

52. It is clear that the racist régime, in its desperation at being unable to curb the growing resistance against *apartheid*, has embarked on a war against the unarmed and defenceless black majority of that unhappy country. That operation, I may add, comes soon after the very large military manoeuvres staged by the Pretoria régime only last month.

53. The Azanian People's Organization said that the military occupation of Sebokeng is a declaration of war. It also said:

> "The occupation shows that the South African Government has completely failed in its policies of *apartheid*. The revolutionary threat of which the Government talks has its roots in unrepresentative minority rule."

54. A spokesman for the United Democratic Front (UDF) recalled its repeated warnings that South Africa was entering a state of civil war. Members of the Council may recall that six leaders of the UDF entered the British Consulate last month to draw the attention of the world to the explosive situation.

55. What is happening in South Africa today is not merely one more struggle by the people for the redress of grievances and one more act of inhuman repression by that régime.

56. Ten years ago, when the Council considered the situation in South Africa, the racist régime solemnly promised to move away from all discrimination and the Western Powers used that declaration as a pretext to veto the exclusion of that régime from the United Nations. Since then, behind propaganda about "changes" and "reforms", in orchestration with some Western Powers and interests, the racist régime has been trying to dispossess and denationalize the African majority through the so-called independence of bantustans and the forced removals of Africans from their lands and homes. Last year, behind a barrage of misleading propaganda, it enacted a so-called new constitution designed to divide the black people, denationalize the African majority and turn an African country into a white racist bastion. It went ahead with imposing that constitution last month despite categorical rejection by the great majority of the people and despite strong denunciations by the General Assembly and the Security Council. The black people in South Africa are now struggling not only for their homes, their livelihood and their elementary rights, but for their fatherland and, indeed, for the integrity of the continent of Africa. They are struggling for all the principles enshrined in the Charter of the United Nations.

57. I must emphasize that condemnations of the *apartheid* régime alone are hardly a meaningful response to the situation. We have had numerous condemnations, and we have had repeated defiance by that régime of this highest organ of the United Nations. There can be no excuse for any further delay or equivocation in imposing sanctions against the *apartheid* régime under the provisions of the Charter. We have seen following the Sharpeville massacre of 1960 and the Soweto massacre of 1976—to which the representative of South Africa made no reference in his despicable statement a few minutes ago—that the United Nations holds the *apartheid* régime responsible and condemns it; but that régime proceeds with impunity to take revenge on the black people while the major Western Powers prevent any meaningful action.

58. The *apartheid* régime is sensitive to the attitudes of the major Western Powers—particularly the United States and the United Kingdom—and of the transnational corporations. It has understood the present attitudes of those Governments as a licence for repression. Indeed, it calculates that it should now resort to even more massive repression in order to suppress resistance so that transnational corporations can continue their operations and earn the "blood money" from the suffering of the black people. It hopes that it can create the calm of the grave so that the major Western Powers can again equivocate on action to eliminate *apartheid*. But history does not repeat itself. The oppressed people are mobilized more than ever and there is a prospect of an explosion.

59. I would like to appeal to the Council not to rest after adopting another resolution of condemnation or demands to the *apartheid* régime but to consider measures under the Charter to enforce its resolutions. I would appeal particularly to the United States and the United Kingdom to listen for once to the appeals of the oppressed people of South Africa. To be engaged with the racists and to spurn the representatives of the great majority of the people is, to say the least, not a sign of statesmanship, not an act of friendship with Africa, not evidence of loyalty to the Charter.

60. Whether the *apartheid* régime will be allowed to run amok and precipitate a wider conflict, with the black majority forced to lay down lives for its dignity and survival, or the international community will resolve the situation depends, above all, on the United States and the United Kingdom. I hope history will not need to record that those two great countries have again failed to fulfil their duty, despite all our appeals, and have brought on a tragedy.

61. The PRESIDENT *(interpretation from French)*: The next speaker is Bishop Desmond Tutu, to whom the Council has extended an invitation under rule 39 of the provisional rules of procedure. I invite him to take a place at the Council table.

62. On behalf of the Council, I should like to welcome Bishop Tutu. It is a particular honour for us to hear a

Nobel Peace Prize winner address the Council, whose primary function is to ensure the preservation of international peace and security. At a time in the life of our civilization when *apartheid* continues to be the shame of mankind, no better choice could have been made than was made in his case. His profound faith in the dignity of man and his painful and lengthy experience of *apartheid* make him a natural choice for that high distinction. Through him, it is all Africa that is honoured, because of his deep convictions and his tireless efforts to make men, regardless of colour, race or political opinion, brothers living together in peace and harmony and as good neighbours.

63. I have pleasure in inviting Bishop Tutu to make a statement.

64. Bishop TUTU: Mr. President, thank you for your very kind words. I am very deeply humbled by the honour that has been bestowed on me. I thank you for the privilege of addressing this gathering. I thank you for this opportunity most warmly, on my own behalf and on behalf of millions in my land who have been rendered voiceless, the marginalized ones.

65. It is one of the ironies of our South African situation that I would be denied in my home country the chance of addressing its highest representative body; but about that more a little later. I speak out of a full heart, for I am about to speak about a land that I love deeply and passionately; a beautiful land of rolling hills and gurgling streams, of clear starlit skies, of singing birds and gambolling lambs; a land God has richly endowed with the good things of the earth, a land rich in mineral deposits of nearly every kind; a land of vast open spaces, enough to accommodate all its inhabitants comfortably; a land capable of feeding itself and other lands on the beleaguered continent of Africa, a veritable bread-basket; a land that could contribute wonderfully to the material and spiritual development and prosperity of all Africa and indeed of the whole world. It is endowed with enough to satisfy the material and spiritual needs of all its peoples.

66. And so we would expect that such a land, veritably flowing with milk and honey, should be a land where peace and harmony and contentment reigned supreme. Alas, the opposite is the case. For my beloved country is wracked by division, by alienation, by animosity, by separation, by injustice, by avoidable pain and suffering. It is a deeply fragmented society, hagridden by fear and anxiety, covered by a pall of despondency and a sense of desperation, split up into hostile, warring factions. It is a highly volatile land, and its inhabitants sit on a powder-keg with a very short fuse indeed, ready to blow us all up into kingdom-come. There is endemic unrest, like a festering sore that will not heal until not just the symptoms are treated but the root causes are removed.

67. South African society is deeply polarized. Nothing illustrates this more sharply than the events of the past week. Whilst the black community was in the seventh heaven of delight because of the decision of that Committee in Oslo, and whilst the world was congratulating the recipient of the Nobel Peace Prize, the white Government and most white South Africans, very sadly, were seeking to devalue that prize. An event that should have been the occasion of uninhibited joy and thanksgiving revealed a sadly divided society.

68. Before I came to this country in early September, to go on sabbatical, I visited one of the trouble-spots near Johannesburg. I went with members of the Executive Committee of the South African Council of Churches, which had met in emergency session after I had urged Mr. P. W. Botha to meet with church leaders to deal with a rapidly deteriorating situation. As a result of our peace initiative, we did get to meet with two cabinet ministers, demonstrating thereby our concern to carry out our call to be ministers of reconciliation and ambassadors of Christ. In this black township we met an old lady who told us that she was looking after her grandchildren and the children of neighbours whilst they were at work. On the day about which she was speaking, the police had been chasing black schoolchildren in that street, but the children had eluded the police, who then drove down the street past the old lady's house. Her wards were playing in front of the house, in the yard. She was sitting in the kitchen at the back, when her daughter burst in, calling agitatedly for her. She rushed out into the living room. A grandson had fallen just inside the door, dead. The police had shot him in the back. He was six years old. Recently a baby, a few weeks old, became the first white casualty of the current uprisings.

69. No death can leave us cold. Every death diminishes us. Every death is one too many. Those whom the black community has identified as collaborators with a system that oppresses them and denies them the most elementary human rights have met with cruel death, which we deplore as much as any others. They have rejected these people operating within the system, whom they have seen as lackies and stooges despite their titles of town councillors and so on, under an apparently new dispensation extending the right of local government to the blacks.

70. Over 100,000 black students are out of school, boycotting—as they did in 1976—what they and the black community perceive as an inferior education designed deliberately for inferiority. An already highly volatile situation has been ignited several times and, as a result, over 80 persons have died. There has been industrial unrest, with the first official strike by black miners taking place, not without its toll of fatalities among the blacks.

71. Some may be inclined to ask: But why should all this unrest be taking place just when the South Africa Government appears to have embarked on the road of reform, exemplified externally by the signing of the Nkomati accord [*S/16451, annex I*] and internally by the

implementation of a new constitution which appears to depart radically from the one it replaces, for it makes room for three chamnbers: one for whites, one for Coloureds and one for Indians—a constitution described by many as a significant step forward?

72. I wish to state here, as I have stated on other occasions, that Mr. P. W. Botha must be commended for his courage in declaring that the future of South Africa could no longer be determined by whites only. That was a very brave thing to do. The tragedy of South Africa is that something with such a considerable potential for resolving the burgeoning crisis of our land should have been vitiated by the exclusion of 73 per cent of the population, the overwhelming majority in the land. By no stretch of the imagination could that kind of constitution be considered to be democratic. The composition of the committees, in the ratio of four whites to two Coloureds to one Indian, demonstrates eloquently what most people had suspected all along: that it was intended to perpetuate the rule of a minority. The fact that the first qualification for membership of the chambers is racial says that this constitution was designed to entrench racism and ethnicity. The most obnoxious features of *apartheid* would remain untouched and unchanged. The Group Areas Act, the Population Registration Act, separate educational systems for the different race groups: all this and more would remain quite unchanged.

73. This constitution was seen by the mainline English-speaking churches and the official white opposition as disastrously inadequate, and they called for its rejection in the whites-only referendum last November. The call was not heeded. The blacks overwhelmingly rejected what they regarded as a sham, an instrument in the politics of exclusion. Various groups campaigned for a boycott of the Coloured and Indian elections—campaigned, I might add, against very great odds, by and large peacefully. As we know, the authorities responded with their usual iron-fist tactics, detaining most of the leaders of the UDF and other organizations that had organized the boycott—and we have some of them now holed up in the British Consulate in Durban, causing a diplomatic contretemps.

74. The current unrest was in very large measure triggered off by the reaction of the authorities to anti-election demonstrations in August. The farcical overall turn-out of only about 20 per cent says more eloquently than anything else that the Indians and the Coloureds have refused to be co-opted as the junior partners of *apartheid*—the phrase used by Allan Boesak, the founding father of the UDF and President of the World Alliance of Reformed Churches.

75. But there is little freedom in this land of plenty. There is little freedom to disagree with the determinations of the authorities. There is large-scale unemployment because of the drought and the recession that has hit most of the world's economy. And it is at such a time that the authorities have increased the prices of various foodstuffs and also of rents in black townships —measures designed to hit hardest those least able to afford the additional costs. It is not surprising that all this has exacerbated an already tense and volatile situation.

76. So the unrest is continuing, in a kind of war of attrition, with the casualties not being large enough at any one time to shock the world sufficiently for it to want to take action against the system that is the root cause of all this agony. We have warned consistently that unrest will be endemic in South Africa until its root cause is removed. And the root cause is *apartheid* —a vicious, immoral and totally evil and unchristian system.

77. People will refer to the Nkomati accord, and we will say that we are glad for the cessation of hostilities anywhere in the world. But we will ask: Why is détente by the South African Government only for export? Why is State aggression reserved for the black civilian population? The news today is that the army has cordoned off Sebokeng, a black township near Sharpeville, and 400 or so persons have been arrested, including the ex-moderator of the Presbyterian Church of Southern Africa and Father Geoff Moselane, an Anglican priest.

78. As blacks we often and often run the gauntlet of roadblocks on roads leading into our townships, and these have been manned by the army in what are actually described as routine police operations. When you use the army in this fashion, who is the enemy?

79. The authorities have not stopped stripping blacks of their South African citizenship. Here I am, 53 years old, a bishop in the church, some would say reasonably responsible; I travel on a document that says of my nationality that it is "undeterminable at present". The South African Government is turning us into aliens in the land of our birth. It continues unabated with its vicious policy of forced population removals. It is threatening to remove the people of Kwa Ngema. It treats carelessly the women in the KTC squatter camp near Cape Town whose flimsy plastic coverings are destroyed every day by the authorities—and the heinous crime of those women is that they want to be with their husbands, with the fathers of their children.

80. White South Africans are not demons; they are ordinary human beings, scared human beings, many of them; who would not be, if they were outnumbered five to one? Through this lofty body I wish to appeal to my white fellow South Africans to share in building a new society, for blacks are not intent on driving whites into the sea but on claiming only their rightful place in the sun in the land of their birth.

81. We deplore all forms of violence, the violence of an oppressive and unjust society and the violence of those seeking to overthrow that society, for we believe that violence is not the answer to the crisis of our land.

82. We dream of a new society that will be truly non-racial, truly democratic, in which people count because they are created in the image of God.

83. We are committed to work for justice, for peace and for reconciliation. We ask you, please help us; urge the South African authorities to go to the conference table with the authentic representatives of all sections of our community.

84. I appeal to the Council to act. I appeal in the name of the ordinary, the little people of South Africa. I appeal in the name of the squatters in Crossroads and in the KTC camp. I appeal on behalf of the father who has to live in a single-sex hostel as a migrant worker, separated from his family for 11 months of the year. I appeal on behalf of the students who have rejected this travesty of education made available only for blacks. I appeal on behalf of those who are banned arbitrarily, who are banished, who are detained without trial, those imprisoned because they have had a vision of this new South Africa. I appeal on behalf of those who have been exiled from their homes.

85. I say we will be free, and we ask you: Help us, that this freedom come for all of us in South Africa, black and white, but that it come with the least possible violence, that it come peacefully, that it come soon.

86. Mr. KRISHNAN (India): Some entirely uncalled-for remarks and unfounded allegations made by the representative of the *apartheid* régime of South Africa have compelled me to speak.

87. The record of my country in preserving and protecting human rights within the framework of democracy is well known, and the last thing I would have expected to hear in this chamber are unfounded charges against India from the representative of a régime based on and nourished by institutionalized racial discrimination and deliberate suppression of fundamental human, political and civil rights.

88. Intemperate and unwarranted attacks against my country, India, and other non-aligned countries, or against Ethiopia and the African countries on whose behalf the representative of Ethiopia has spoken, would be of no avail to the representative of the minority régime of South Africa in defending what is patently indefensible and justifying what the civilized world has already rejected as a mockery of every value and principle that mankind cherishes and upholds.

89. The representative of South Africa has again entered the plea of domestic jurisdiction. Long years ago the United Nations declared and decided that, where *apartheid* was concerned, there could be no shelter taken behind the Charter of the United Nations. We have also heard from the representative of South Africa renewed threats against the sovereign States in the region of southern Africa. He should know that neither the people of South Africa nor the front-line States will be cowed into submission by such threats. Their struggle will continue and will overcome the system of institutionalized *apartheid*, which has been declared a crime against all humanity.

90. The inspiring words we just heard from Bishop Desmond Tutu will no doubt encourage not only the people of South Africa but also all the front-line States and, indeed, all of us. I wish the representative of South Africa had remained in the chamber to listen and heed that appeal from Bishop Tutu, but I wonder if, even had he been present here, he would have heeded that appeal. I have grave doubts, because from the record that we know of the régime of South Africa, that appeal would have fallen on deaf ears.

91. The PRESIDENT *(interpretation from French):* The representative of Ethiopia has asked to make a statement, and I now call upon him.

92. Mr. DINKA (Ethiopia): I shall be very brief. The representative of the Fascist Pretoria régime has done his best to hoodwink the international community again with the usual garbage for which the representatives of Pretoria are well known. I shall not allow myself to stoop to his level by replying in kind. After all, it is very difficult for one to insult an entity which is the personification of the worst possible insult one can mention.

93. The whole world knows that the *apartheid* régime is the most odious system, and the international community has declared it a crime against humanity. We only hope for the day that this noble chamber will be rid of such obnoxious representatives of an equally abhorrent régime.

94. The people of Africa, including those of Ethiopia, may be poor, but they remain optimistic, not only as to their own bright future, but also for the downfall of *apartheid*.

95. The PRESIDENT *(interpretation from French):* It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it [*S/16791*]. Unless I hear any objection, I shall put the draft resolution to the vote.

It was so decided.

96. The PRESIDENT *(interpretation from French):* I call on the representative of the Netherlands, who wishes to make a statement before the vote.

97. Mr. van der STOEL (Netherlands): Two months ago, on the eve of the elections for representatives of South Africa's Coloured people and people of Asian descent, the Council adopted resolution 554 (1984), thereby rejecting the new South African constitution and affirming that only the total eradication of *apartheid* can bring about a just and lasting solution of the situation in South Africa. After the elections had been held and the new constitution had come into effect, the

General Assembly, faced with the outbreak of widespread disturbances accompanying and following the elections, reacted by condemning South Africa for persisting in its racial policies [*resolution 39/2 of 28 September 1984*]. My country voted in favour of both resolutions.

98. Unfortunately, things have hardly improved since then. In several black townships rioting continues to erupt time and again, causing an ever-increasing number of casualties. Perhaps this upsurge of violence cannot exclusively be attributed to South Africa's new constitutional arrangements. Other factors, such as a rent increase and general dissatisfaction with living conditions in the black townships, have certainly compounded an already explosive situation. Under these circumstances one spark is sufficient to provoke the pent-up frustrations and anger of the oppressed black majority into outbursts of destruction. Indeed, it must be feared that as long as the root causes of these events are not addressed in a decisive manner the flames of violence will continue to erupt periodically from the smouldering hatred created by a repressive system.

99. As I have explained on previous occasions, the Netherlands Government is of the opinion that South Africa's new constitution, based on proposals which were endorsed by an exclusively white referendum last year, utterly fails to meet the grievances and legitimate aspirations of the majority of the population.

100. Moreover, the new constitutional framework has clearly been designed to impose severe limits on the influence which the Coloured and Asian Chambers of the tricameral Parliament can bring to bear on the Government's decision-making process, and thus to ensure continued white dominance. The low voter turnout at the elections for these Chambers demonstrated that the non-white population of South Africa did not view the new constitutional set-up as a move away from the present-day racial policies but, rather, as an attempt to bolster the system of *apartheid* by introducing some cosmetic changes, without touching its hard core. The international community, through its rejection of the new constitution, voiced its concern at these developments, which demonstrate the South African Government's blindness to the real causes of the growing tensions in that country, causes which sooner or later it will have to address.

101. The Netherlands has consistently adopted the position that the ills of South Africa's deeply troubled society can be cured only by a policy of meaningful steps leading towards fundamental reform. For such steps to be meaningful they must include a scheme for eventual power-sharing by all segments of South Africa's population and address the all-important issue of the disfranchisement of the black majority. With this objective in mind, the Netherlands has pursued a policy of increasing the pressure on South Africa, both nationally and through concerted international action. In this connection I recall that the Netherlands has repeatedly indicated its readiness to co-operate with other members of the Council in strengthening the existing mandatory arms embargo against South Africa—for instance, by complementing it with a mandatory ban on the import of arms manufactured by South Africa.

102. My Government is deeply distressed by the wave of violence, deaths and arrests of leading figures involved in the boycott of the elections which has swept over South Africa in recent months. The Netherlands strongly supported the Declaration on South Africa by the Ministers for Foreign Affairs of the 10 States members of the European Economic Community of 11 September 1984 [*S/16741, annex*], in which the Ten voiced their concern at the growing deterioration of the situation in South Africa and announced that they would seek the immediate release of those detained without charge. The Ten repeated their concern at these developments in their statement on the occasion of the Day of Solidarity with South African Political Prisoners.

103. Against this sombre backdrop of mounting confrontation, the news that one of South Africa's foremost opponents of *apartheid* and advocates of peaceful change, Bishop Desmond Tutu, the General Secretary of the South African Council of Churches, has been awarded the Nobel Peace Prize is all the more gratifying. We listened with great interest to what he said today, and we are very pleased at this felicitous and timely award to a man whose stubborn pursuit of peaceful change has embodied the hopes of those who, in spite of the intransigence of the South African Government, hold to their belief that a solution to South Africa's problems must be found through dialogue and reconciliation.

104. My delegation agrees with the overall thrust of the draft resolution before us [*S/16791*] and accordingly it will vote in favour of it. The Netherlands strongly condemns South Africa's *apartheid* system, and we share the view expressed in the draft resolution that its complete eradication and replacement by a free, non-racial and democratic society, in which all the people of the country, irrespective of race or colour, will enjoy equal rights, is imperative. We agree with those who drafted the draft resolution that this should include the demands enumerated in operative paragraph 6. The bankruptcy of South Africa's homelands policy is becoming more visible every day. Not only has the creation of these entities failed to elicit even the slightest measure of recognition by the international community, but the inability of the bantustans to sustain their population has demonstrated that the grand *apartheid* scheme is an impracticable illusion. Similarly, the forced removals carried out by the South African authorities have kept the unfavourable attention of world opinion focused on the inherent brutality of *apartheid*.

105. However, the Netherlands cannot agree with some of the language used in the draft resolution. I wish to recall that my country, although it condemns the

exclusion of South Africa's black majority from participation in the constitutional process, considers that the Council is not entitled to pass judgement on the legal validity of a Member State's constitution or electoral processes. Furthermore, we have some reservations concerning the implicit reference in paragraph 1 to the International Convention on the Suppression and Punishment of the Crime of *Apartheid* [*General Assembly resolution 3068 (XXVIII), annex*].

106. The PRESIDENT *(interpretation from French)*: I shall now put to the vote the draft resolution contained in document S/16791.

A vote was taken by show of hands.

In favour: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, Zimbabwe.

Against: None.

Abstaining: United States of America.

The draft resolution was adopted by 14 votes to none, with 1 abstention [*resolution 556 (1984)*].

107. The PRESIDENT *(interpretation from French)*: I shall now call on those representatives who wish to make statements after the vote.

108. Sir John THOMSON (United Kingdom): To those who would prefer to see *apartheid* dismantled without further suffering and self-determination accorded to all the people of South Africa without additional bloodshed, the tragic and violent events of the past few weeks have been profoundly disheartening. The warnings that were sounded as far back as 25, 35 and more years ago, and have since been repeated with ever increasing intensity, have not been heeded.

109. The United Kingdom voted in favour of resolution 556 (1984) as a further sign that the international community does not believe the problems of South Africa can or should be resolved by repression, by the denial of civil and political rights or by violence. Our vote marks no change in the position we adopted in our votes on Council resolution 554 (1984) and General Assembly resolutions 38/11 and 39/2. It does not lie within the competence of any organ of the United Nations to reject or declare null and void the constitution of a Member State. The seriousness of the situation in South Africa speaks for itself: we regret, and regard as counter-productive, the exaggerated language used in several parts of this resolution, including the term "massacre", to describe that situation. In this respect, we regard the expression "crime against humanity" as one of abhorrence rather than a technical legal description and we do not interpret any part of this resolution as falling within the terms of Chapter VII of the Charter of the United Nations.

110. What is taking place in South Africa is a struggle not for national liberation but for self-determination. *Apartheid* can never be reconciled with the principle of self-determination. Within South Africa, courageous men such as Bishop Desmond Tutu, whose advocacy of non-violent change has just been repeated and who has rightly been rewarded with a Nobel Peace Prize, have long struggled to enjoy equal rights and to have a say in their own destiny. We believe that it is for the South African people themselves—all the people of South Africa—to resolve their problems and to be allowed freely and peacefully to determine their future. Moreover, we believe that all States Members of the Organization have a responsibility to assist and support this process by working not for armed struggle but for peaceful change, and by doing all we can to persuade the Government of South Africa to extend full civil and political rights to all its people.

111. Mrs. KIRKPATRICK (United States of America): Sir, I should like to begin by offering our congratulations to you in this public session on your assumption of the presidency for this month and to express my Government's satisfaction and pleasure at your conduct of the affairs of the Council during the past weeks. We have already had occasion to congratulate your predecessor, the representative of Zimbabwe, on his skilful and adept management of the Council's affairs.

112. In abstaining today the United States interposed no obstacle to the resolution adopted by the Council, though some excesses of language prevented us from joining the Council in voting affirmatively. My Government abhors *apartheid*. We have expressed this abhorrence on many occasions. We have also repeatedly expressed our conviction that denial of equal rights to all South African citizens is wrong in itself and a source of great unrest and disturbance in South African society. My Government is distressed and concerned by the violence that has swept South Africa recently. We fully support the demands expressed in the resolution for equal rights, majority rule and respect for minority rights for all South African citizens of all colours and races.

113. Indeed, the United States Government strongly supports the demand for equal rights, freedom, equal opportunity, self-government and self-determination for all citizens of all countries. We do not believe that the problems of South Africa will be resolved until all South African citizens enjoy their full rights as citizens in a self-governing society. The United States Government's priorities in southern Africa remain the search for peace and concrete progress towards our common goals in South Africa and the region as a whole.

114. May I add that this meeting has given us the opportunity—and a very welcome opportunity indeed—to hear the eloquent views of a great exponent of human rights. We always listen to Bishop Tutu with attention. Our respect for him has been expressed many

times and on many occasions. At this point it is perhaps most appropriate for me to quote the words of President Reagan, who has written to Bishop Tutu saying:

> "Please accept my congratulations and those of the American people on being named the 1984 recipient of the Nobel Peace Prize in recognition of your efforts on behalf of peaceful change in South Africa. All Americans join me in recognizing your labours in seeking to promote non-violent change away from *apartheid* towards a form of government based on consent of the governed and towards a society that offers equal rights and opportunities to all its citizens without regard to race. The United States has heard the appeal for justice voiced by South Africans who suffer under *apartheid* rule. We continue to urge the South African Government to engage in a meaningful dialogue with all its citizens aimed at accomplishing a peaceful transition away from *apartheid*. We applaud you on being selected for this honour and assure you that we share these goals."

115. Mr. de La BARRE de NANTEUIL (France) [*interpretation from French*]: We have some reservations regarding certain terms in the first preambular paragraph and in paragraph 1, particularly concerning the description of *apartheid* as a "crime against humanity". However, we voted in favour of the resolution submitted to us today, as we voted in favour of Council resolution 554 (1984) last August and, more recently, on 28 September, of General Assembly resolution 39/2.

116. I wish to recall what was said by the Minister for foreign Affairs of France just a few days ago, when he paid a special visit to New York to address the Special Committee against *Apartheid*. He stated that the attitude of South Africa was "morally unacceptable, politically dangerous and intellectually scandalous".

117. Neither constitutional reforms that leave intact the system of *apartheid*, nor the policy of forced removal to bantustans, which makes many South Africans exiles in their own country, nor the violence exerted by the forces of order constitute a solution.

118. Only the establishment of a just society, based on equality of rights and respect for the dignity of each man and each woman, can guarantee peace in South Africa. Such a democratic society must be freely brought about by all South Africans, without distinction as to race or colour. This is how my delegation interprets the right to self-determination referred to in the resolution and recognized by Article 1 of the Charter of the United Nations as the right of all the peoples of the world.

119. Until that legitimate right is recognized, France will continue to denounce unequivocally and unreservedly the *apartheid* régime and the consequences and practices that stem from it.

120. The PRESIDENT *(interpretation from French)*: I call on the representative of Ethiopia.

121. Mr. DINKA (Ethiopia): The hour is late, and I wish only to thank the Council, on behalf of the Group of African States of the United Nations, for its commendable decision, which we in the African Group believe to be a positive step towards the elimination of the abhorrent system of *apartheid*.

122. It must be clear, however, that *apartheid* remains an inhuman system. It remains a threat to international peace and security. The Council, therefore, is duty-bound to take every measure commensurate with its responsibilities under the Charter of the United Nations and to remain seized of the situation in South Africa.

123. The PRESIDENT *(interpretation from French)*: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6.25 p.m.

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UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-NINTH YEAR

2561st MEETING: 7 NOVEMBER 1984

NEW YORK

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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2561st MEETING

Held in New York on Wednesday, 7 November 1984, at 10.30 a.m.

President: Mr. LING Qing (China).

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2561)

1. Adoption of the agenda

2. Election of five members of the International Court of Justice (S/16676, S/16680/Rev.1 and Add.1, S/16681 and Add.1)

The meeting was called to order at 11.10 a.m.

Tribute to the memory of Mrs. Indira Gandhi, Prime Minister of India

1. The PRESIDENT *(interpretation from Chinese):* It is with deep shock and sorrow that we have all learned of the death of an outstanding stateswoman, Mrs. Indira Gandhi, Prime Minister of the Republic of India.

2. It is fitting for the Security Council, as the principal organ of the United Nations, on which the Members have conferred primary responsibility for the maintenance of international peace and security, to pay tribute to Mrs. Indira Gandhi's deep commitment to the cause of world peace, both as Prime Minister of India and as leader of the Movement of Non-Aligned Countries.

3. Permit me, as President of the Council, and on behalf of the other members of the Council, to convey to the representative of India and, through him, to the Government of India, to the Indian people and to the bereaved family our sincere condolences.

On the proposal of the President, the members of the Security Council, standing, observed a minute of silence.

4. Mr. KRISHNAN (India): Mr. President, my colleagues in the Indian delegation and I are deeply touched by the kind sentiments you have expressed on behalf of the members of the Council and yourself. These will be duly conveyed to the Government and the people of India and to the bereaved family.

5. Since this tragic and sudden blow struck our nation, the spontaneous outpouring of sympathy, solace and support from all parts of the world has been a source of great comfort and encouragement to our people. Our democratic polity has been able to withstand this rude shock, and, thanks to the wisdom and resilience of our people, India, under the leadership of our Prime Minister, Mr. Rajiv Gandhi, is returning to normalcy.

6. I should like to reaffirm on this occasion our commitment to non-alignment, to the United Nations and to the historical continuity in our policies in favour of world peace, freedom, justice and economic and social development through international co-operation.

7. I wish to take this opportunity, Sir, to congratulate you on your assumption of the high office of the presidency of the Council for this month. We highly appreciate your diplomatic skills and experience, as well as your dedication and objectivity. I look forward to fruitful activity by the Council under your stewardship and assure you of my full co-operation.

8. I should like also to pay tribute to the admirable manner in which your predecessor, Mr. Bassole, representative of Burkina Faso, guided the affairs of the Council during the month of October.

Expression of thanks to the retiring President

9. The PRESIDENT *(interpretation from Chinese):* I should like, on behalf of the Council, to pay a tribute to Mr. Léandre Bassole, representative of Burkina Faso, for his services as President of the Council in October. Mr. Bassole earned our profound gratitude for the diplomatic skill and unfailing courtesy with which he guided the Council's deliberations last month.

Adoption of the agenda

The agenda was adopted.

Election of five members of the International Court of Justice (S/16676, S/16680/Rev.1 and Add.1,[1] S/16681 and Add.1)

10. The PRESIDENT *(interpretation from Chinese):* The Council will now proceed to the election of five members of the International Court of Justice, in accordance with the Statute of the International Court of Justice, to fill the five seats which will become vacant

on 5 February 1985 on the expiry of the terms of office of the following five Judges: Mr. Taslim Olawale Elias, Mr. Manfred Lachs, Mr. Hermann Mosler, Mr. Shigeru Oda and Mr. Abdallah Fikri El-Khani.

11. The updated list of candidates nominated by the national groups is contained in document S/16680/Rev.1. Documents S/16681 and Add.1 contain the curricula vitae of all the candidates. Document S/16680/Rev.1/Add.1 indicates that the Law Society of Kenya, the nominating national group of Kenya, has decided to withdraw the candidature of The Honourable Justice C. H. E. Miller. Consequently, his name does not appear on the ballot papers.

12. The Council also has before it a memorandum by the Secretary-General, in document S/16676, setting out the procedure to be followed in the conduct of the election. I should like to remind the Council that, under Article 10, paragraph 1, of the Statute of the Court, "Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected." The required majority in the Council is eight votes. If more than five candidates obtain the required majority, according to the procedure which has been followed in the past and which is set forth in paragraph 14 of the Secretary-General's memorandum, a new vote will be held on all the candidates. If, on the other hand, in the first ballot the number of candidates obtaining the absolute majority is less than five, the Council will proceed to a second ballot on the remaining vacancies, and balloting will continue until five of the candidates have obtained the required majority of votes.

13. Voting shall be held by secret ballot. When we proceed to the vote, members of the Council will receive a ballot containing the names of all the candidates. Members of the Council are requested to place an "x" next to the names of the five candidates for whom they wish to vote. Votes may be cast only for those candidates whose names appear on the ballot paper. Otherwise, the ballot will be considered invalid.

14. I should like to remind members of paragraph 11 of the Secretary-General's memorandum, which specifies that "Each elector may vote for no more than five candidates on the first ballot". Any ballot containing votes for more than five names will be considered invalid. When five candidates have obtained the required majority of votes, I shall communicate the result to the President of the General Assembly, and I shall request the Council to remain in session pending the receipt from the President of the General Assembly of the result of the voting in the Assembly.

15. The Council will now proceed to draw lots to select the two delegations to act as tellers.

16. The names of the delegations of the United Kingdom and the United States have been drawn, and I therefore request each of them to appoint one of its members to serve as teller.

At the invitation of the President, Mr. Berman (United Kingdom) and Mr. Rosenstock (United States of America) acted as tellers.

17. The PRESIDENT *(interpretation from Chinese)*: I take it that the Council is now ready to proceed with the election of five members of the International Court of Justice.

18. I have now been informed that the ballot papers have been collected in the General Assembly.

19. The counting of the ballots in the Security Council will now begin. The tellers will now count the ballots. As agreed in our consultations, there will be two independent countings of ballots: one by each of the tellers.

A vote was taken by secret ballot.

Number of ballot papers:	15
Number of invalid ballots:	0
Number of valid ballots:	15
Required majority:	8

Number of votes obtained:

Mr. Jens Evensen (Norway)	14
Mr. Ni Zhengyu (China)	14
Mr. Manfred Lachs (Poland)	13
Mr. Taslim Olawale Elias (Nigeria)	12
Mr. Shigeru Oda (Japan)	12
Mr. Abdallah Fikri El-Khani (Syrian Arab Republic)	7
Mr. C. G. Weeramantry (Sri Lanka)	1

20. The PRESIDENT *(interpretation from Chinese)*: The following five candidates have received the required majority of votes in the Council: Mr. Jens Evensen, Mr. Ni Zhengyu, Mr. Manfred Lachs, Mr. Taslim Olawale Elias and Mr. Shigeru Oda. I shall communicate the results to the President of the General Assembly. I request the Council to remain in session while we wait for the President of the Assembly to inform the Council of the results of the voting in the Assembly.

*
* *

21. The PRESIDENT *(interpretation from Chinese)*: I should like to inform the members of the Council that I have just received from the President of the General Assembly the following letter:

"I have the honour to inform you that, at the 53rd plenary meeting of the General Assembly, held today for the purpose of electing five members of the International Court of Justice, the following five candidates obtained an absolute majority of votes in the General Assembly: Mr. Taslim Olawale Elias,

Mr. Jens Evensen, Mr. Manfred Lachs, Mr. Ni Zhengyu and Mr. Shigeru Oda."

22. As both the Security Council and the General Assembly have agreed on the same candidates, the distinguished jurists Mr. Taslim Olawale Elias, Mr. Jens Evensen, Mr. Manfred Lachs, Mr. Ni Zhengyu and Mr. Shigeru Oda have been elected as members of the International Court of Justice for a term of office of nine years beginning on 6 February 1985.

23. I should like to congratulate them and to wish them every success in the high office to which they have been elected.

The meeting rose at 12.20 p.m.

NOTE

[1] *Official Records of the General Assembly, Thirty-ninth Session, Annexes*, agenda item 15 (*c*), documents A/39/357/Rev.1-S/16680/Rev.1 and Add.1.

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